CORPORATE PERFORMANCE PLAN

April 1, 2001 – March 31, 2002

PUBLIC GUARDIAN
AND TRUSTEE OF
BRITISH COLUMBIA

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STRATEGIC CONTEXT

MISSION

The Public Guardian and Trustee of British Columbia promotes and upholds the legal interests and safeguards the financial and personal interests of children and adults, and administers the estates of deceased and missing persons.

MANDATE

The Public Guardian and Trustee of British Columbia (PGTBC) serves:

- children and youth under the age of 19 by protecting their legal and financial interests
- adults who require assistance in decision-making through protection of their legal rights, financial interests and personal care interests, and
- families, heirs and beneficiaries of deceased and missing persons when there is no one else willing or able to administer their estates.

The PGTBC is a corporation sole established by the *Public Guardian and Trustee Act*, and is funded through client fees and government payments for PGTBC services. In order to ensure the independence of the office, the law provides that the Public Guardian and Trustee of British Columbia holds office for a fixed term of six years.

As the result of obligations created by statutory law, the PGTBC exercises quasi-judicial authority in specific situations. The Court depends on the PGTBC for reliable and independent advice when the rights of children or adults with disabilities may be at risk. When the property or financial interests of children, adults or estates are at risk, the PGTBC may take the matter to Court for a judicial determination.

In managing the financial affairs of an individual or estate, the PGTBC must observe prudent business practices and is bound by fiduciary principles. The PGTBC is accountable to his clients, the Court, and the public.

When making personal and health care decisions on behalf of adults who are unable to make these decisions themselves, the PGTBC honours the principles of self-determination and autonomy to the greatest extent possible, and provides the least restrictive and most effective support.

Appendix A describes the statutes and types of authorities under which the PGTBC functions.

VISION

The vision of the PGTBC is *"Rights, choices and security for all British Columbians."*

VALUES

Six major values underpin the work of the PGTBC – client-centred service, respect, innovation, teamwork, openness, and staff support.

Clients are at the centre of PGTBC services; services are individualized, equitable and accessible. Trust is created through honesty and openness with clients. Self-determination is key. Clients participate in decision-making about their lives to the greatest extent possible. Accountability to clients, their families and the public is demonstrated through transparency in all activities.

Staff are acknowledged as the PGTBC's greatest resource, and are recognized and appreciated for their expertise and professionalism, as well as their teamwork and consultation skills. The PGTBC is committed to the growth, training and development of staff.

Practices of the PGTBC reflect innovation through flexibility and creativity in work as well as in problem solving.

ENVIRONMENTAL SCAN

A. Societal Trends

Several societal trends impact the work of the PGTBC:

- **Changes in Population Demographics** – The proportion and number of seniors in society is increasing, as people live longer and healthier lives due to advances in public health and medical technology. There is an overall growth of wealth among seniors. The general population is also more mobile, with the result that families are more fragmented and local family support for seniors may not be available. PGTBC services are impacted by the provision of care and support required, the potential increase in the incidence of diseases of aging, and in the complexity and types of assets held by this population group.

- **Changes in Pharmacological and Medical Technology** – The advent and wide use of medication to treat persons with mental illness over the past number of decades, and the development and use of medical technology near the end of life, are two major health care trends that impact the services provided by the PGTBC.

  Additionally, difficulty in consistently accessing community mental health supports contributes to some clients' periodic inability to manage their property and results in repeated certifications under the *Patients Property Act*. This "revolving door", while less well known than the *Mental Health Act* "revolving door", also results in multiple short-term interventions.

  The social debate on the application of new medical technology that is available at the end of life has not kept pace with the development of that medical technology. Patients in such circumstances are frequently unable to give or refuse consent to such care. Lack of social consensus in this area impacts the PGTBC as decisions in such matters involve health care providers, patients

and their substitute decision-makers. The PGTBC is now the substitute decision-maker for adults who are unable to give or refuse consent to their health care and have no available family members or other legally authorized substitute decision makers.

- **Development of a Rights Conscious Society** – The emphasis of society on rights over the last twenty years has led to questioning of many older societal structures. Historically, the role of the PGTBC has been one of potentially wide administrative discretion while exercising broad ill-defined responsibilities. The structuring of administrative discretion, an emphasis on due process and the more active use of oversight and accountability tools are all modern attempts to ensure that rights are respected.

- **The Desire for Autonomy and Expanded Planning Powers** – The public is seeking greater opportunities to plan for their future, especially for a time when they may be unable to make their own decisions. With the recent proclamation of the *Representation Agreement Act*, British Columbians for the first time can name someone as their Representative to be a legally authorized substitute decision-maker for health care. With this expanded planning, are increased expectations, entrenched in statute, that the PGTBC will investigate allegations of wrongdoing by substitute decision-makers.

- **De- institutionalization** – Unlike in decades past, most PGTBC clients today live in the community or in small public or private facilities such as group homes. A far greater need for flexibility in service is required due to the diversity of individual client living situations and uniqueness of the individuals themselves.

- **Growing Recognition of Abuse and Neglect of Adults** – Society's recognition of abuse, neglect and self-neglect of adults in vulnerable situations is still in its early stages. There is an increasing appreciation of the impact of such abuse. New legislation (Part 3 of the *Adult Guardianship Act*) reinforces public expectations that the PGTBC will be actively involved in working with communities to prevent or redress such abuse or neglect.

PROGRAM AREAS

As an organization, the PGTBC provides services to approximately 26,400 clients through 208 full time employees, and manages $600 million in trust. Client services are provided through three program areas: 1) Child and Youth Services; 2) Services to Adults; and 3) Estate Administration.

Specifically, the PGTBC protects:

Children and Youth by:

- Receiving legal notice of various actions that could impact the property rights of children
- Reviewing proposed settlements for legal actions, contracts, trusts and estates involving children
- Managing property as a Trustee by investing and making decisions whether to disburse money on behalf of children until they reach age 19 (or other age specified in the Court Order or Trust Deed)

Adults Requiring Assistance in Managing their Financial, Legal, or Personal Affairs by:

- Investigating reports of financial abuse of adults who may be incapable
- Managing caseload and promoting least possible interference by assessing whether PGTBC services are required for each potential new client
- Managing the property of incapable adults
- Making personal care decisions on behalf of incapable adults
- Making health care decisions on behalf of adults who are unable to understand the decision required and have no available family to assist them
- Distributing estates when the PGTBC no longer has authority for an individual because the individual has become capable of managing his/her own affairs, died, or someone else has been appointed
- Monitoring the activities of Private Committees appointed by the Court to manage the affairs of adults who are unable to make their own financial, legal and/or personal and health care decisions

Estates of Deceased and Missing Persons by:

- Settling the estates of deceased and missing persons where no family member or other eligible person is willing and able to do so:
- Securing assets
- Settling debts and claims against the estate
- Identifying and locating heirs and beneficiaries and disbursing the deceased's estate to those individuals

The following table further describes the three PGTBC program areas:

PROGRAM AREAS

	Children & Youth Services	Services to Adults	Estate Administration
Mandate	Protects the legal and financial interests of minors.	Protects the legal rights and personal and financial interests of adults unable to manage their own interests independently. Adult clients are vulnerable to diseases of aging, mental illness, developmental disabilities or brain injuries.	Administers the estates of deceased persons where no eligible person is willing and able to do so; administers estates of missing persons; administers discretionary trusts.
Roles	• Trustee, Guardian of Estate, Litigation Guardian, Monitor of Private Trustees. • Through legislation the PGT is appointed as the primary Trustee in personal injury, inheritance, CPP Orphan's Benefits, Family Compensation Act, settlement or court award, and entertainment earnings situations. • PGT acts as Guardian of child's estate in adoption processes, children with no guardian, and children in continuing custody situations.	• Committee of Person, Committee of Estate, Attorney (under Power of Attorney), Representative (under Representation Agreement), Pension Trustee, Monitor of Private Committees, acting under a Support and Assistance court order. • Acts as a last resort • Work to balance the rights of self-determination and independence with the need for protection.	• Official Administrator, Executor, Curator for Estates of Missing Persons • Administrator where a PGT client (child or incapable adult) is an heir or beneficiary to an estate • Trustee (personal trustee)
Number of Clients	• Total clients: 15,000 • Trustee: 11,000 children and youth ($160 million in trust, average value of trust account – approximately $12,000) • Guardian of Estate: 5,450 children and youth • Infant settlements: 1945 per year • Estate notices: 1000 per year • Limitation Notices: 225 per year • Criminal Injury Compensation Claims: 140 per year	• Total clients: 8800 • Private Committee/Monitor of Private Committee: 2500 • Estate Liaison: 1200 • Committee of Person or Estate, Attorney, Representative, Pension Trustee: 3600 • Assessment and Investigation Services: 800 per year • Health Care Decisions: 700 per year	• Total Estates/Trusts: 2600 • Administrator or Executor: 2350 estates • Trustee: 250 personal trusts
Number of Clients Per Staff	• 350 trust clients with active portfolios plus 1200 trust clients with limited transactions per Trust Manager	• 300 clients per case manager • 300 clients per estate liaison officer • 500 clients per private committee review officer.	• Clients per estate administrator/officer: 100 - 170 average
Number of Employees	40: 28 direct + 12 indirect	127: 90 direct + 37 indirect	41: 29 direct + 12 indirect

PROGRAM AREAS

	Children & Youth Services	Services to Adults	Estate Administration
Trends	• 14% increase in Guardian of Estate clients over the past year with no increase in staffing. • Currently hold in trust $1.5 million for 300 child entertainers as a result of changes to the *Employment Standards Act* in 1997. No new funding was allocated to deliver this service. • Structured settlements as opposed to lump sum settlements are now frequently used for large awards or settlements. They are usually managed by private structure companies with a small lump sum given to PGTBC for administration.	• Increased awareness and lower tolerance for abuse/ neglect situations in community. • There is an overall increase in the number of seniors as clients. More elderly clients means there is a shorter period of administration with less time to get to know the client and resolve issues. • Assessment and Investigation Services' work has grown dramatically over the past year largely due to implementation of the new adult guardianship legislation. In the last year there has been a 40% increase in the number of telephone calls and a 15% increase in the number of individuals requiring PGTBC services in this area. • There is an increasing complexity in service provision due to the variety of assets held (i.e. investments, property, debt); more involvement with clients and families; and more contentious family disputes. • More clients are being declared capable, with approximately 40 per year compared to 5-10 per year five years ago. This has largely occurred as a result of increased rights consciousness among PGTBC staff, clients and families, greater access to assessments, and periodic special review projects.	• Caseload of personal trust files has increased 25% over past 4 years. • Resource-pressed outside agencies now seek PGTBC involvement instead of dealing with matters themselves. • More difficult, expensive and time-consuming procedures for the collection of information due to privacy legislation in various jurisdictions. • 20% increase in estate cases under administration by end of 2001/02 arising from elimination of Deputy Official Administrator program due to budgetary pressure.

PROGRAM AREAS

	Children & Youth Services	Services to Adults	Estate Administration
Changes in Practice	• Modern focus is on a balanced approach to releasing funds appropriately for the maintenance, education or benefit of the child rather than the preservation of the funds until the child is 19 years old. This means an increase in workload. • Trust funds in excess of $25,000 in investable assets are invested in the PGTBC Pooled Funds and managed by external portfolio managers to maximize the rate of return.	♦ *Assessment and Investigation Services* • Evolved practice to reflect principles of the adult guardianship legislation • New statutory responsibility to review allegations of wrongdoing by Representatives under the *Representation Agreement Act* • New protective measures – i.e. freezing bank accounts • New role in authorizing assessors for Support and Assistance Court Orders ♦ *Client Services* • More client visits • Enhanced case management and team model to support service delivery • Increased knowledge and expertise of staff • Extensive development of policy and procedures leading to more consistency in service delivery ♦ *Private Committee Services* • Increased expectations for investigation of complaints about Private Committees, particularly around personal and health care decisions • An increased level of support and assistance to Private Committees • New risk assessment model for account reviews • New amendment to *Patients Property Act* allowing discretion on time frame for review. ♦ *Health Care Decisions* • New service arising for guardianship laws • Greatly expanded health care decision function from less than 30 per year to more than 670 decisions in 2000/2001.	• Focus is on finding family and getting them involved in administering the estate where possible. • The use of modern technology provides beneficiaries around the world with faster information, and encourages family members who rightfully should be administering estates, to do so.

PROGRAM AREAS

	Children & Youth Services	Services to Adults	Estate Administration
Challenges	• Reasons for Statutory mandate for children-services poorly understood by the public. • Statutes are old and require modernizing • Public sector children's services are fragmented. • ICBC is, for the first time ever, largely complying with the legal requirement to submit children's settlements to the PGTBC for review. This has dramatically increased workload for PGT legal staff. • Ministry for Children and Families is increasingly complying with the legal obligation to advise the PGTBC of guardianship under the *Child, Family and Community Service Act.* This has increased PGTBC workload with no increase in staffing.	• Care Facility Admission legislation still not proclaimed. • Awareness of new Health Care Consent legislation by health care providers is inconsistent. • Problematic working with only partial proclamation of the Adult Guardianship laws, i.e. does not mesh well with *Patients Property Act* • Increased expectations on PGTBC to provide "social safety net" functions, i.e. investigations, mediation, monitoring (these are currently not charged to clients and are subsidized by public funding). The PGTBC has difficulty meeting these expectations given current limited public funding. • Demographic pressures – increased number of referrals from health and social service agencies. • Addressing historic backlogs in *Client Services* and *Private Committee Services.* • Increased requests to deal with abuse/neglect issues or facility admission. • Providing service 365 days per year for health care decisions. • Complexity of financial investigation/management has increased. • Adopting modern proactive stance in ensuring clients have legal representation and their legal rights are protected.	• In the last year, direct responsibility for 300 client files has been added to the program area. • % based heir tracers who seek to entice beneficiaries to hire them thereby reducing beneficiaries estate share. • Increasingly litigious society (more wills variation and other actions against estates). • Increasingly complicated deceased estate tax system. • Retroactive compensation schemes that include post-mortem claimants (i.e. settlement of Hepatitis C Class Action). • Changing immigration patterns resulting in new needs for expertise in locating heirs in the countries of origin. • New definitions and legislation concerning common law spouses and same sex partners that have an impact on estate administration.

FUNDING FRAMEWORK

A. Historic Funding Structure

Until 1989, the PGTBC was directly funded by voted monies through the Ministry of the Attorney General. Fees and commissions paid by clients were deposited to the Consolidated Revenue Fund (CRF).

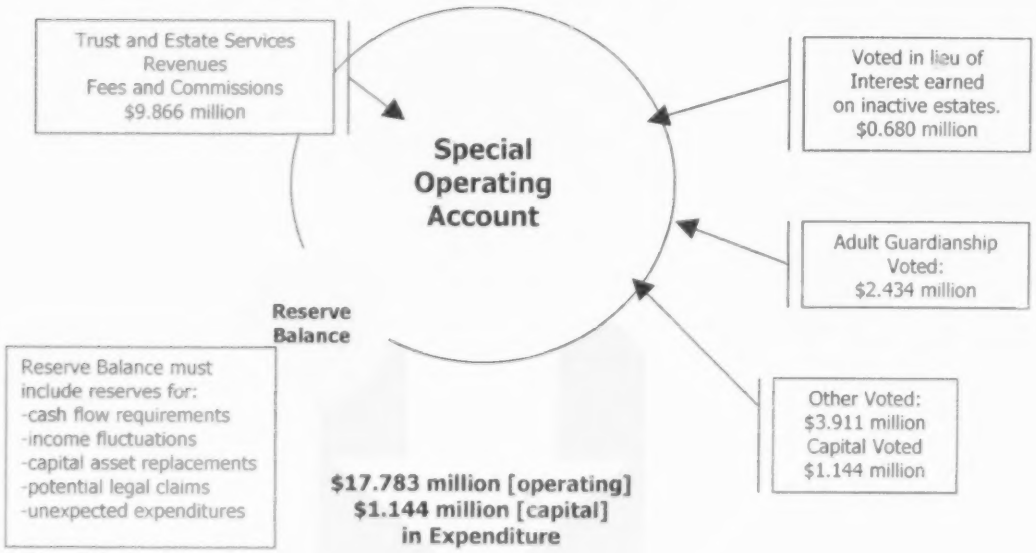
B. Current Funding Structure

The PGTBC is currently structured as a Special Account of the CRF. Under s.24 of the *Public Guardian and Trustee Act* three sources of financing flow into the Public Guardian and Trustee Operating Account:

1. Voted funds in lieu of money that the Minister of Finance and Corporate Relations directs to be paid into the operating account (this was previously only one kind [inactive account interest] and has been eliminated as of 2001/02[1]);	$0.680 M
2. Other Voted Funds	$7.489 M
3. Trust and Estate Services revenues, fees and commissions collected by the PGTBC for services rendered.	$9.866 M
TOTAL REVENUE	$18.035 M
TOTAL EXPENDITURE	$18.927 M
DRAW DOWN OF SPECIAL ACCOUNT	$.892 M

Various funding sources for the PGTBC are depicted in the chart below:

Financing Formula for 2001-2002
[as per Estimates 2001-2002]



[1] Inactive account interest is no longer a source of revenue to the PGTBC as the period of time for interest to accrue prior to escheating to the Crown has been reduced from 10 to 0 years. Compensation to the PGTBC as a result of this immediate reduction is $.68 M subject to adjustments at fiscal year end to match what might have accrued in interest income under the previous rules.

CORPORATE PERFORMANCE PLAN FRAMEWORK

The Corporate Performance Plan framework reflects both the PGTBC's baseline program functions and strategic initiatives designed to maximize the effectiveness of the organization so that clients may be better served.

PROCESS FOR GOAL SELECTION

Criteria for goal selection were established prior to goal determination. These are:

- Consistency with mission
- Broad impact on PGTBC service delivery
- Province-wide implications
- Likelihood of achievement
- Organization/system/client readiness
- Timeliness and feasibility
- Significance

Goals have been selected in accordance with these criteria.

Goal	Objective		Performance Measures/Targets
1		**Property and financial interests of PGT clients will be protected.**	
		Child & Youth Services	
1	(a)	Decisions regarding disbursement of property of children will be made in a timely manner.	☐percentage of decisions regarding property disbursements completed within 20 days of the guardian/client's request. *Target*– 75%
1	(b)	The PGT will be notified of in a timely manner by the Ministry of Children and Family Development of children in continuing custody when the PGT is Guardian of Estate.	☐agreement with MCFD by March 31, 2002 that they will notify PGT of court appointment as Guardian in a timely manner. ☐percentage of children for whom PGT is Guardian of Estate under the *Child Family and Community Services Act*, where the PGT is notified within 60 days of appointment. *Target*– 75%
1	(c)	The entitlement of children in care to financial benefits and the existence of legal claims will be identified and acted upon in a timely manner.	☐percentage of cases where PGT is Guardian of Estate where financial entitlements and legal claims are identified and action commenced within 6 months of being notified by MCFD. *Target*– 50%
		Services to Adults	
1	(d)	Property interests of Committee of Estate clients will be identified and secured.	☐within the first 3 months of PGT appointed as Committee of Estate, all known sources of client income are identified and secured. *Target* – 60% ☐percentage of PGT clients with real property where investigators provide inventory of clients effects within 3 months of PGT authority. *Target* – 65%

Goal	Objective		Performance Measures/Targets
		Services to Adults	
1	(e)	Clients' property and assets will be managed in a timely, efficient and prudent manner.	☐percentage of client receipts processed within 5 business days and bills processed within 15 business days. *Target* – 80% ☐the ratio of substantiated complaints to the Ombudsman to the number of Committee of Estate clients regarding management of their property and assets will be less than 5/1000 in 2001/02. ☐percentage of real property reports prepared within 20 working days of reporting dates, and reviewed within 20 subsequent working days. *Target* – 75%
		Estate Administration	
1	(f)	Deceased clients' property will be determined and secured in a timely fashion.	☐Percentage of new estates for whom assets have been secured and documented within 90 days of notification of death. *Target* – 70%
1	(g)	Estate distributions will be made to heirs and beneficiaries rather than escheating to the Crown.	☐ Money paid to heirs and beneficiaries expressed as a % of the total distributions (money paid to heirs and beneficiaries plus money that escheats). *Target* – 85%.
1	(h)	Beneficiaries will be protected from disreputable heir tracers.	☐Percentage of estate distributions that pay directly to the rightful heirs with no percentage-based heir tracers involved. *Target* – 80%

Goal	Objective		Performance Measures/Targets
		Organization-Wide Services	
1	(i)	New prudent investment opportunities provided for under the *Public Guardian and Trustee Act* will be implemented.	☐Personalized investment plans developed for 95% of clients with financial assets over threshold amounts. *Target* – $100,000 ☐Specialized investment pools established by March 31, 2002. ☐Performance benchmarks established by March 31, 2002. ☐Investment returns for all three pooled funds match or exceed established benchmarks.
1	(j)	Enhanced control over financial transactions involving client assets will be ensured.	☐Internal audit function and mandate established by March 31, 2002.
2		**Personal interests of PGT clients will be protected.**	
		Child & Youth Services	
	(a)	Personal care needs for clients awarded funds over $50 thousand for cost of future care will be considered in a timely manner and reviewed annually.	☐Percentage of assessments of care needs and associated costs carried out within 60 days of PGT being named trustee. *Target* – 85% ☐Percentage of clients awarded funds in excess of $50,000 for cost of future care whose budget plans are reviewed annually. *Target* – 85%

Goal	Objective		Performance Measures/Targets
		Services to Adults	
2	(b)	Individualized case management plans will be developed and implemented for clients for whom the PGT acts as Committee of Person.	☐Percentage of persons for whom the PGT is Committee of Person who receive a visit within 6 weeks of PGT appointment. *Target* – 80% ☐Percentage of clients for whom PGT is Committee of Person that have a case management plan and whose plan is reviewed annually. *Target* – 80%
2	(c)	Health care decisions will be made in a high quality and timely manner.	☐Percentage of minor health care decisions made within 1 working day and major health care decisions made within 3 working days of all relevant information being received. *Target* – 80% ☐Percentage of health care decisions made by the PGT that are not substantially changed by the Health Care and Care Facility Review Board or the Supreme Court of British Columbia. *Target* – 90%
3		**Statutory protective and monitoring services will be delivered in a timely and fair manner.**	
		Child & Youth Services	
3	(a)	Settlement reviews of children's legal claims will be carried out in a timely and expert fashion.	☐Percentage of proposed settlements that are reviewed and the parties are advised of the PGT position within 60 days of all relevant information being received. *Target* – 70% ☐Percentage of proposed settlements over $50,000 where the Supreme Court of British Columbia substantially accepts PGT recommendations for improvement. *Target* – 85%

Goal	Objective		Performance Measures/Targets
		Services to Adults	
3	(b)	PGT will protect vulnerable incapable adults at risk for abuse, neglect and self-neglect.	☐Percentage of requests by Designated Agencies for an assessment of incapability under Part 3 of the Adult Guardianship Act where the PGT authorizes the assessment within 5 working days of request by Designated Agency. *Target* – 75%.
3	(c)	Private Committee reviews will be completed in a timely manner.	☐Median duration from date of receipt to completion of review. *Target* – 12 months.
4		**The PGT will take a leadership role in public and social policy issues affecting our clients.**	
		Child & Youth Services	
4	(a)	An enhanced method of protecting children's interests in class proceedings will be defined.	☐Identification of improved mechanisms for notification procedures and settlement implementation by March 31, 2002.
		Services to Adults	
4	(b)	The PGT will assist communities to develop a set of protocols to reflect requirements of Part 3 of the *Adult Guardianship Act*.	☐Percentage of CRNs that have developed community protocols or other mechanisms to assist adults to receive needed support and assistance. *Target* – 50%
5		**Better client services will be provided through improved organizational capacity.**	
		Organization-Wide Services	
5	(a)	Cultural and linguistic accessibility of PGT services will be increased.	☐The language choice and alternative format choices for our clients identified by March 31, 2002. ☐Priority public education documents for translation and alternative formats identified, and a communications plan developed by March 31, 2002.

Goal	Objective		Performance Measures/Targets
5	(b)	Client services will be delivered in accordance with established standards and policies.	☐ High priority policies developed by March 31, 2002.
6		**PGT program independence will be supported through enhanced administrative independence and diversification of revenue sources.**	
		Organization-Wide Services	
6	(a)	The PGT's fiscal relationship to the government will facilitate the development of an entrepreneurial culture.	☐Review of fiscal and administrative relationship to government completed by March 31, 2002.
7		**The PGT will maintain a work environment that attracts, develops and empowers staff to deliver quality service to clients.**	
		Organization-Wide Services	
7	(a)	High quality programs for staff orientation and training will be developed.	☐Policies and procedures prepared for orientation by March 31, 2002. ☐Percentage of new staff receiving a timely (within 60 days of commencing employment) and relevant orientation. *Target* – 75% ☐Median number of training days per staff per year. *Target* – 3 days ☐Percentage of staff who believe that they have the necessary training to do their current work well. *Target* – 60%

APPENDIX A
STATUTES AND TYPES OF AUTHORITIES

ACTS FROM WHICH VARIOUS AUTHORITIES DERIVED

- *Adult Guardianship Act*
- *Child, Family and Community Services Act*
- *Employment Standards Act*
- *Estate Administration Act*
- *Estates of Missing Persons Act*
- *Family Relations Act*
- *Health Care (Consent) and Care Facility (Admission) Act*
- *Infants Act*
- *Insurance Act*
- *Insurance (Motor Vehicle) Act*
- *Patients Property Act*
- *Power of Attorney Act*
- *Public Guardian and Trustee Act*
- *Representation Agreement Act*
- *Trust and Settlement Variation Act*
- *Wills Variation Act*

TYPES OF AUTHORITIES EXERCISED BY THE PGTBC

- Trustee, appointed by law or under a Will, deed or Court Order to protect the financial and legal interests of an incapable adult, or child.
- Committee, under the *Patients Property Act*, appointed by Court Order or Certificate to make financial and legal decisions for an adult requiring assistance, or to make decisions regarding an adult's personal and health care needs.
- Guardian of Estate, appointed by Court Order or by statute to protect the legal and financial interests of children in the continuing care of the province.
- Temporary Substitute Decision-Maker - under the *Health Care (Consent) and Care Facility (Admission) Act*. The PGTBC acts as temporary substitute decision-maker for an adult when the adult is incapable of providing consent to health care and there is no one else who is qualified to do so on his/her behalf. The PGTBC may also authorize others to make health care decisions on behalf of adults who are incapable.
- Official Administrator - under the *Estate Administration Act* to administer estates of deceased persons only in cases where no family member or other eligible person is willing and able to act as administrator. As Official Administrator under the *Estates of Missing Persons Act*, the PGTBC acts as Curator for missing persons where no one else is determined to be more suitable to do this. This role is established by Court Order.
- Monitor of Private Committees and Other Private Arrangements - under the *Public Guardian and Trustee Act*, the PGTBC investigates complaints regarding Attorneys and monitors the activities of Private Committees, and under the *Representation Agreement Act* investigates complaints regarding Representatives.

- Reviewing Settlements of Claims for Damages Brought by Children and Incapable Adults - under the *Infants Act*, the PGTBC has authority to approve settlement of claims for damages brought by children up to the sum of $50,000 exclusive of costs and disbursements. With respect to settlements of children's claims over $50,000, the PGTBC provides written comments to the Court evaluating the settlement. Under Supreme Court Rule 6(14), the PGTBC may provide recommendations to the Court regarding the settlement of an incapable adult's claim for damages.
- Guardian ad Litem – under the *Public Guardian and Trustee Act*, the PGTBC acts as Guardian for litigation purposes in cases where a child or mentally incapable adult requires a Litigation Guardian and there is no one else willing or able to fulfill that responsibility.